

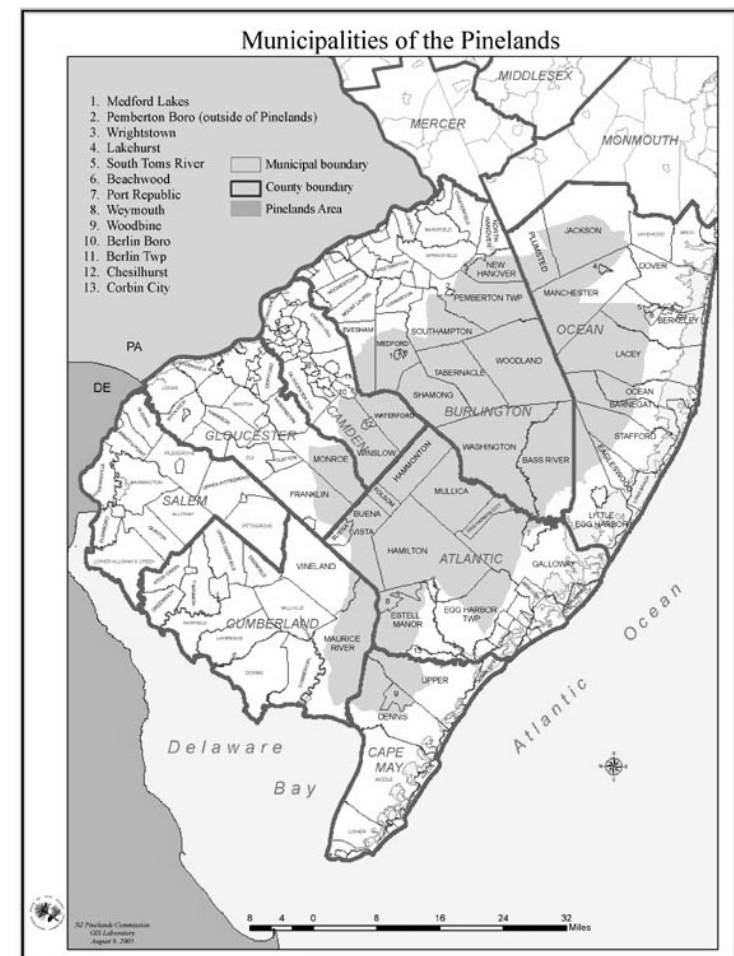
A History of TDR in New Jersey

Congress for New Urbanism XV
Philadelphia, PA
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Executive Director
New Jersey State TDR Bank



New Jersey Pinelands Development Credit Program





1989 Burlington County TDR Demonstration Act

- ✍ Established as Pilot Legislation
- ✍ Potential for County or Municipal TDR Bank establishment

Case Study: Chesterfield Township

Township Profile

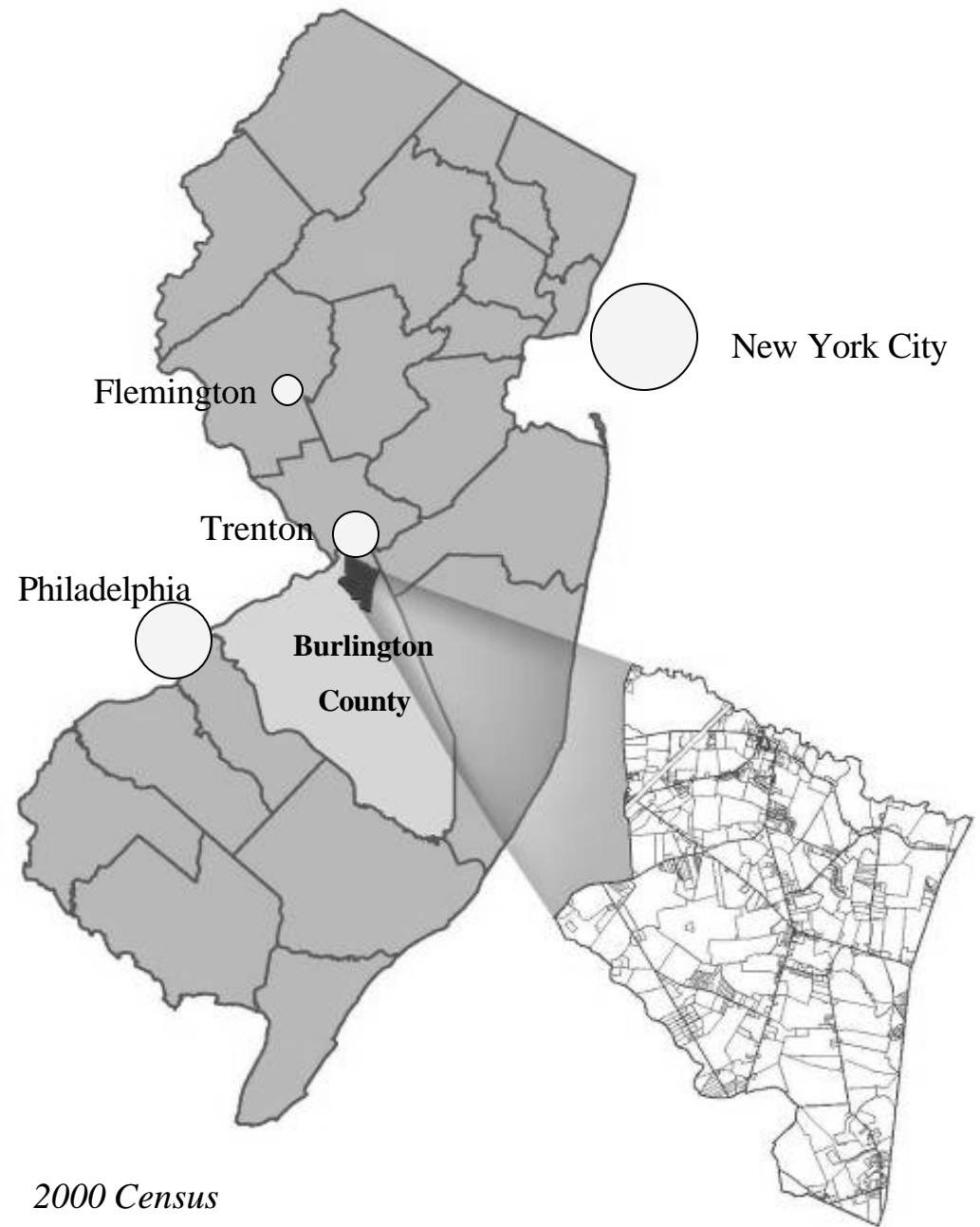
924 dwellings

2,614 residents

21.61 square miles

121 residents/sq. mi.

Planning Area 4



Source: Clarke Caton Hintz, A Professional Organization

2000 Census



Case Study: Chesterfield Township

Project Timeline

- 1997 - Master Plan Identifies Sending and Receiving Areas
- 1998 - Land Development Ordinance Creates TDR Zoning
- 1999 - Wastewater Management Plan Approved by NJDEP
- 2000 - NJ State Planning Commission Designates Receiving Area as a Center
- 2002 - Master Plan Amendment Creates Village Plan & Architectural Standards
- 2003 - Construction Commences on First Subdivision
- 2004 - First CO's Issued
- 2006 - 115 CO's Issued
212 Building Permits Issued
Subdivision Approvals for 813 Units
Subdivision Pending for 357 Units
2,060 acres enrolled and preserved

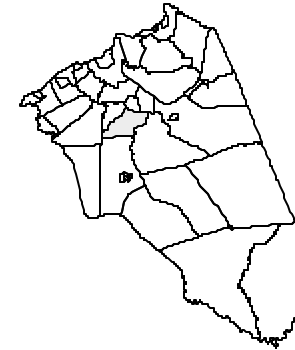


Case Study: Chesterfield Township

Project Status

- ✍ Developers control 90% of receiving area
- ✍ 76 % of the Township's ultimate development capacity (1,170 units) is either pending approval, approved or under construction
- ✍ Construction commenced by three developers on 813 units
- ✍ School location has been designated as the hub of the community
- ✍ Recreation Improvement District created to fund \$3.9 million in common facilities
- ✍ Transportation Improvement District created to fund \$8.9 million in collector roads

Case Study: Lumberton Township



- ✍ Sending Area
 - ✍ 1,748 acres with 453 TDR credits
 - ✍ Can build up to 1 unit per 50 acres after enrollment in TDR program (lot sizes of 2 acres or more)
- ✍ Receiving Area
 - ✍ 508 acres, with 190 TDR credits
 - ✍ Gross density of ~ 1 du/ac.
 - ✍ Total buildout = ~ 560 dwelling units
 - ✍ SA credit absorption goal: 70%
 - ✍ Will result in preservation of ~ 1,000 acres



Case Study: Lumberton Township

Project Status

- ✍ 100 % of R.A. approved for development
- ✍ 95% built
- ✍ 265 TDR credits enrolled; 840 acres preserved
- ✍ Credit values \$14,000 - \$30,000 each
- ✍ Developers actively building receiving area

- ✍ Currently in process of implementing “TDR II”



1993 State TDR Bank Act

- ✍ Created Statewide TDR Bank
- ✍ *“The development transfer bank may sell, exchange, or otherwise convey the development potential of property that it has purchased or otherwise acquired....., but only in a manner that does not substantially impair the private sale or transfer of development potential.*
- ✍ Development Potential Purchase
- ✍ Loan Guarantees
- ✍ TDR Registry Requirement
- ✍ Planning Assistance Grants
- ✍ \$20 Million Allocated for:
 - ✍ Development Potential Purchase
 - ✍ Planning Assistance Grants
 - ✍ Administration



2004 State TDR Act

- ✍ Comprehensive Statewide TDR Enabling Legislation
 - ✍ Intra-municipal and Inter-municipal
- ✍ Established TDR Planning Process
- ✍ Established TDR Planning Requirements
 - ✍ Development Transfer Plan Element
 - ✍ Utility Service Plan Element
 - ✍ Capital Improvement Program
 - ✍ Real Estate Market Analysis
- ✍ Raised Planning Assistance Grants to \$40,000/municipality



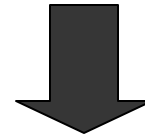
2004 State TDR Act

TDR Planning Process

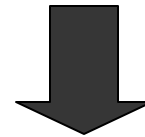
- Development Transfer Element
- Capital Improvement Program
- Utility Service Plan
- Real Estate Market Analysis



Plan Endorsement
&
County Approval



TDR Ordinance



Periodic Review

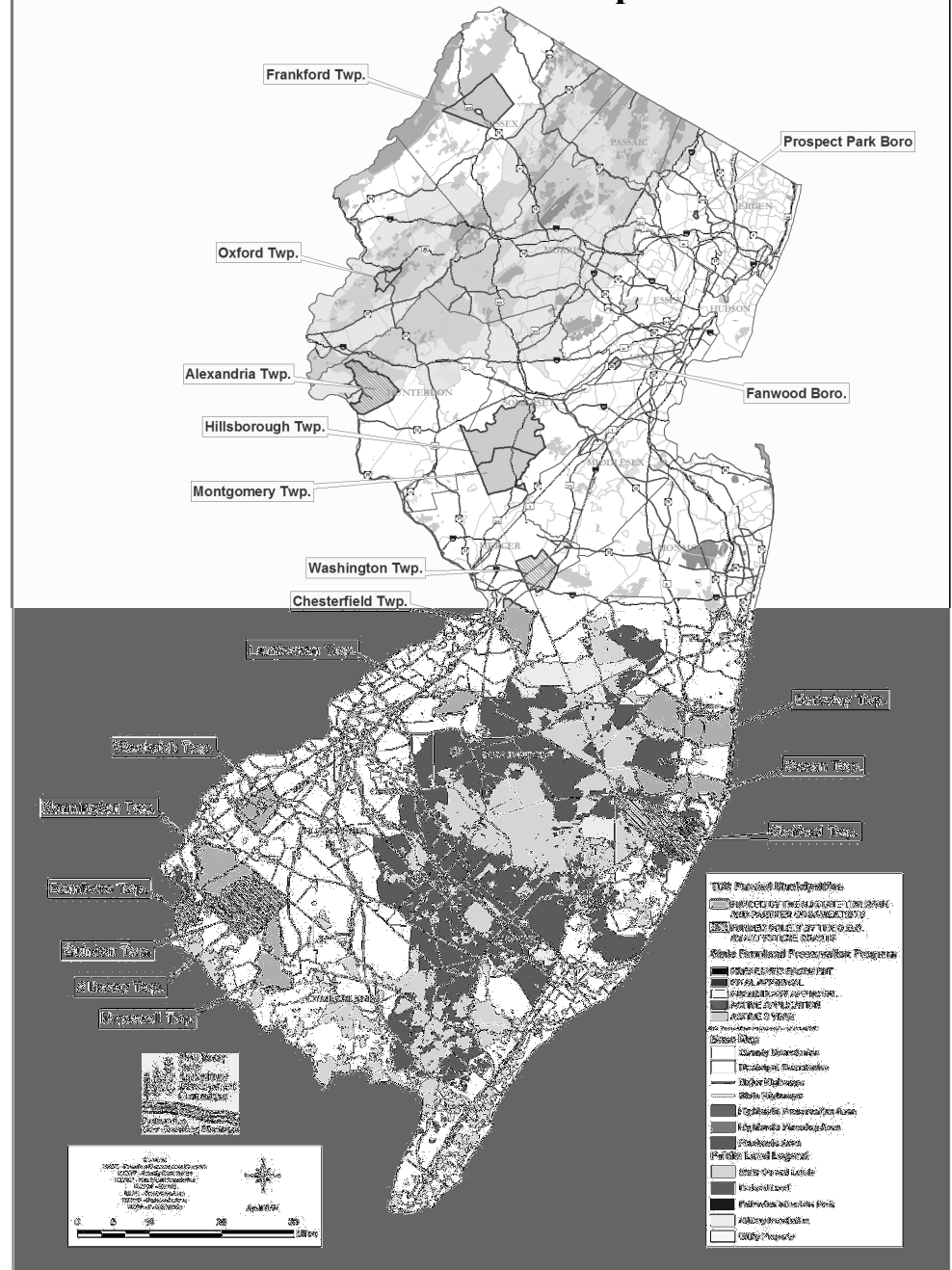


Planning Assistance Grants

Planning Assistance Grant Status

- ✍ 13 Planning Assistance Grants Approved
 - ✍ 7 Agricultural Preservation Programs
 - ✍ 5 Environmental Preservation Programs
 - ✍ 1 Historic Preservation Program
- ✍ \$460,000 Allocated
- ✍ \$657,200 in Matching Funds

TDR Funded Municipalities





TDR in the New Jersey Highlands

New Jersey Highlands Region

- ✍ Scale of the Program
 - ✍ 850,000 acres
 - ✍ 88 Highlands Municipalities
 - ✍ 7 Counties
 - ✍ High Geographic diversity
- ✍ Broad diversity in Land Use intent and values
- ✍ Existing and Planned infrastructure and geographic differences

Regional Master Plan

- ✍ Identify sending zones in preservation area
- ✍ Identify voluntary receiving zones on planning area
 - ✍ 4% goal
 - ✍ Designated centers



TDR in the New Jersey Highlands

TDR Program

- ✍ Council performs regional real estate market analysis
- ✍ Credit value based on pre-Highlands Act zoning and DEP regulations
- ✍ To receive benefits, credits can be transferred to any community in the seven Counties that make up the Highlands—not just those within the region boundary

Receiving Zone Benefits

- ✍ Up to \$250,000 in planning grants
- ✍ Reimburse development regulation amendment costs
- ✍ Technical assistance
- ✍ Authority to impose impact fees up to \$15,000/unit
- ✍ Legal representation
- ✍ Priority for State capital or infrastructure programs



TDR Implementation Hurdles

- ✍ State Agency Collaboration
 - ✍ Better Coordination Needed
 - ✍ More Proactive Policies Needed
- ✍ Fiscal Impacts of Accelerated Growth
- ✍ Cost and Complexity of Required Planning